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Appln. No. : 10/689,228
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AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings include changes to Fig. 6. The replacement sheet, which includes Figs. 5 and 6, replaces the original sheet including Figs. 5 and 6.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS

Claims 1-27 are currently pending in the present application. Reconsideration is respectfully requested.

OBJECTIONS TO THE DRAWINGS UNDER 37 C.F.R. §1.83(a):

The drawings were objected to under 37 C.F.R. §1.83(a) as not showing every feature of the invention specified in the claims. Taking the features in the order as set forth by the Examiner, the "centrally located portion of each finger" is shown in Fig. 6 and described in the last sentence of paragraph 17 where the specification states "each finger 22 (Fig. 6) has a pair of sidewalls 24 and an integrally formed outer wall 26 having a centrally located portion 28 and rounded abutment portions 30 located proximate the sidewalls 24." As clearly shown in Fig. 6, the centrally located portion of each finger includes a "radius of curvature." The "abutment portion of each finger" is clearly shown in Fig. 6 and described in the specification as noted above, and includes "a second radius of curvature that is less than the radius of curvature of the central portion of each finger." Again, these portions and radii thereof are clearly shown in Fig. 6. Fig. 6 has been amended to include the annular locking ring as included in originally-submitted Fig. 5, described in paragraphs 18 and 20 of the specification, and defined in originally-submitted claims 5, 12, and 20. As is clearly described in the portions of the application as originally submitted and as clearly shown in amended Fig. 6, the "second radius of curvature [is] substantially similar to an inner radius of the annular locking ring of the hub." Claims originally including the language "substantially extending rim of the cap abutting the outer surface of the wheel" have been amended to include adapted for language. Finally, the amendments as discussed above with respect to Fig. 6 show the "locking nub of each finger of the cover engaging the locking ring of the hub."

OBJECTIONS TO THE CLAIMS:

Claim 6 has been amended in accordance with the objections as set forth by the Examiner.

REJECTIONS UNDER 35 U.S.C. §112:

Claim 2-5, 8, 11, 12, 14, 15, 17-20, 22, 23, 25 and 27 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Specifically, these claims were rejected on the grounds that “the fingers of the center cap having a centrally located portion with a first radius and a rounded abutment portions having a second radius of curvature that is less than the first radius of curvature” was not sufficiently described in the specification, or shown in the drawings. Taking these elements in order, the fingers and center cap are clearly illustrated in Fig. 3, a rear elevational view of the wheel center cap, Fig. 4, a side elevational view of the wheel center cap, and Fig. 6, an enlarged rear elevational view of a finger of the wheel center cap. The center cap and the fingers thereof are described in lines 8 and 9 of paragraph 17 of the detailed description of the preferred embodiments. The centrally located portion of each of the finger is referenced by reference numeral 28 of Fig. 6, and is described in paragraph 17, lines 9-11. As illustrated in Fig. 6, the central portion 28 of each finger 20 is rounded, and therefore has a radius of curvature. The “rounded abutment portions” are also illustrated in Fig. 6, as referenced by reference numeral 30, and described in paragraph 17, lines 9-11. As described, the abutment portions 30 are “rounded” and therefore include a radius of curvature. It should be noted that the abutment portions each include multiple radii of curvature. As illustrated in Fig. 6, the radius of curvature of each of the rounded abutment portions 30 is less than the radius of curvature of the centrally located portion 28.

Claim 12 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 12 has been amended to address the lack of antecedent basis.

CLAIM REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Baba in view of Shirai et al. Claim 1 defines a composite wheel that comprises, among

other things, a plurality of fingers each having a pair of sidewalls and an integrally-formed outer wall, the outer wall including a centrally-located portion and rounded abutment portions located proximate the sidewalls. The Examiner argues that each finger includes a pair of sidewalls and an integrally-formed outer wall that includes a centrally-located portion 15 and an abutment portion 13 proximate the sidewalls. As argued by the Examiner, Baba discloses a single abutment portion as opposed to "rounded abutment portions" as defined in claim 1. Shirai et al. does not disclose that which is lacking from Baba. Moreover, there is no motivation to include multiple abutment portions with that which is disclosed by Baba and/or Shirai et al. Therefore, claim 1 is allowable over Baba in view of Shirai et al.

Accordingly, claim 1 is condition for allowance. Claims 2-14 are depending from claim 1 which is in condition for allowance as noted above, and are therefore also in condition for allowance. Claim 3 is further allowable as claim 3 defines that the radius of curvature of the rounded abutment portions is less than the radius of curvature of the centrally-located portion of each finger. As set forth by the Examiner, "Baba does not show the centrally located portion of each finger having a first radius of curvature, and the abutment portion having a radius of curvature that is different, namely less than, the first radius of curvature." It is further argued that Fig. 21 of Shirai et al discloses a "first radius of curvature 104j and an abutment portion 104a having a second radius of curvature 104k that is less than the radius of curvature 104j." However, as is clearly illustrated in Fig. 21 of the Shirai et al. reference, the radius of curvature of 104k is significantly greater than the radius of curvature of 104j.

Claim 15 defines a wheel center cap for a vehicle wheel that comprises, among other things, a plurality of fingers each having a pair of sidewalls and an integrally formed outer wall, the outer wall including a centrally-located portion defining a first radius of curvature, and rounded abutment portions located proximate the sidewalls and laterally from the centrally-located portion and having a second radius of curvature that is less than the first radius of curvature. In addition to those arguments as set forth

above with respect to the claim 3 in that the references fail to teach, motivate or suggest rounded portions having a second radius of curvature that is less than the radius of curvature of a centrally-located portion, claim 15 is further allowable in that none of the references as cited disclose rounded abutment portions located laterally from a centrally-located portion of a finger. Shirai et al. as cited by the Examiner includes a plurality of holding claws each having a head portion that comprises a curved surface. The curves of the curved surface are spaced longitudinally from the central portion of that which is disclosed in Baba as it has been labeled by the Examiner. Therefore, claim 15 is allowable over Baba in view of Shirai et al. Moreover, as this limitation was not addressed by the Examiner, Applicants can only submit that such a limitation placed claim 15 in condition for allowance.

Accordingly, claim 15 is in condition for allowance. Claims 16-21 are dependent from claim 15 which is in condition for allowance as noted above, and are therefore also in condition for allowance.

Independent claim 22 defines a method of assembling a wheel cap with a vehicle wheel that comprises, among other things, providing a wheel cap having a plurality of fingers wherein each finger has a pair of sidewalls and an integrally-formed outer wall, the outer wall including a centrally-located portion having a second radius in rounded abutment portions located proximate the sidewalls and each having a third radius, wherein the third radius is less than the second radius. Similar to as discussed above, with respect to claim 3, neither Baba or Shirai et al. disclose a wheel cap having a finger that includes rounded abutment portions each having a radius that is less than a radius of a centrally-located portion of the finger. Therefore, claim 22 is allowable over Baba in view of Shirai et al.

Accordingly, claim 22 is condition for allowance. Claim 23 depends from claim 22 which is in condition for allowance, and is therefore also in condition for allowance.

Claim 24 defines a composite wheel that comprises, among other things, a wheel cap having a plurality of fingers, each finger having a pair of sidewalls, an

integrally-formed outer wall, and rounded abutment portions extending between and longitudinally along the sidewalls and the outer wall. Neither Baba not Shirai et al. disclose that which is defined in claim 24. As this limitation was not addressed by the Examiner, Applicants can only submit that such a limitation places claim 24 in condition for allowance.

Accordingly, claim 24 is in condition for allowance. Claim 25 is dependent from claim 24 which is in condition for allowance, and is therefore also in condition for allowance.

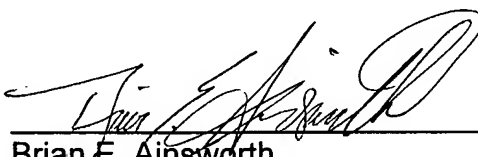
Claim 26 includes similar limitations to those noted above with respect to claim 24. Accordingly, claim 26 is in condition for allowance. Claim 27 is dependent from claim 26 which is in condition for allowance, and is therefore also in condition for allowance.

Accordingly, claims 1-27 are in condition for allowance and a Notice of Allowability is earnest solicited.

Respectfully submitted,

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